



UNIVERSITY OF CAMBRIDGE INTERNATIONAL EXAMINATIONS
General Certificate of Education
Advanced Subsidiary Level and Advanced Level

LAW

9084/12

Paper 1 Essay Questions

October/November 2011

1 hour 30 minutes

Additional Materials: Answer Booklet/Paper

READ THESE INSTRUCTIONS FIRST

If you have been given an Answer Booklet, follow the instructions on the front cover of the Booklet.

Write your Centre number, candidate number and name on all the work you hand in.

Write in dark blue or black pen.

Do not use staples, paper clips, highlighters, glue or correction fluid.

Answer **three** questions.

At the end of the examination, fasten all your work securely together.

The number of marks is given in brackets [] at the end of each question or part question.

This document consists of **2** printed pages.



Answer **three** questions.

- 1 'The collection and storage of information by an employer of an employee's telephone, e-mail and internet usage at the place of work was, in the absence of any legal provisions, unjustified.' – Copland v United Kingdom [2007]

Identify and discuss the breach of human rights found by the Court of European Human Rights in the above case. How adequately are this and other human rights protected in the United Kingdom? [25]

- 2 'Simple, speedy and summary justice.'

How accurate is this description of the work of the Magistrates' Court? [25]

- 3 Bentley, aged 15, snatches a purse from an old lady in the street. She identifies Bentley to PC Craig, who pursues him.

What are the powers of PC Craig in this situation? What are the rights of Bentley if he is subsequently arrested and taken to the police station? Does the existing law strike a proper balance between the powers of the police and the rights of a defendant? [25]

- 4 'The system of precedent makes it difficult for unjust decisions to be overruled.'

How far would you agree with this criticism? [25]

- 5 Mrs Norris agrees to pay £5000 for the landscaping of her garden. Rushworth completes the work satisfactorily. Aware that Rushworth has gambling debts and is in urgent need of money, Mrs Norris tells him 'You can have £4000 immediately – but not a penny more! Ever!'

Would equity assist either party in this situation? To what extent have equitable remedies and maxims promoted fairness in the law? [25]

- 6 Considering the main types of delegated legislation, would you say that sufficient control is exercised over its implementation? [25]

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